

April 14, 2008

Mr. Henry S. Jennings  
Director of Board of Pesticides  
Maine Department of Agriculture  
Food & Rural Resources  
Deering Bldg. (AMHI)  
State House  
Station 28  
Augusta, Maine 04333

SUBJECT: Railroads of Maine – WEED, GRASS & BRUSH CONTROL

Dear Mr. Jennings:

Please find enclosed the “Application for Variance Permit” (Pursuant to Chapter 22, Section 2 (D) and Chapter 29, Section 6 (A)). RWC, Inc. will plan to advertise in five newspapers of statewide circulation and notify those towns that the railroads run through. Included in this letter will be a form to post as they see fit on the public bulletin board with information concerning the spray program. The newspaper advertisement will be done approximately one week before the spray season and the letters will be sent out two weeks prior to the start of the spray program.

RWC, Inc. will incorporate a 10 foot buffer strip from water into all work performed in the State of Maine Vegetation Programs but in the case of a public water supply (such as Sebago Lake) for a distance of one half mile before the site and one half mile beyond using Razor only. The treatment area shall be limited to the ballast area of the roadbed extending laterally no further out beyond the rails than is necessary to effect proper inspection. RWC will also provide notice to the Board’s Staff specifying the herbicide mixes to be applied on each rail line plus call at the conclusion of each day’s spray activity to the Board of Pesticides main phone line to leave a message indicating the next day’s area to be sprayed. I am including labels and MSDS on the products RWC, Inc. will be using (once approved) in our spray programs.

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Should you have any questions concerning the above, please do not hesitate to contact me at (800) 628-9368 or my cell phone (413) 626-6001.

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Sincerely,

Brian S. Chateauvert

Enclosures  
BSC/tt

**BOARD OF PESTICIDES CONTROL**  
**APPLICATION FOR VARIANCE PERMIT**  
**(Pursuant to Chapter 29, Section 6 of the Board's Regulations)**

413      562-5681

I. \_\_\_\_\_ (\_\_\_\_\_) \_\_\_\_\_  
Name Telephone Number  
RWC, INC.

Company Name \_\_\_\_\_

P.O. BOX 876, 248 LOCKHOUSE ROAD WESTFIELD, MA 01086-0876

Address	City	State	Zip
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II. Area(s) where pesticide will be applied:

Boston & Maine Railroad – 40' pattern (20' each side center of track)

Maine Central Railroad – 40' pattern (20' each side center of track)

Presque Isle Industrial Council formerly Aroostook Valley Railroad – 24' pattern (12' each side center of track)

Montreal, Maine & Atlantic Railway (formerly Bangor & Aroostook RR) – 24' pattern (12' each side center of track)

International Paper Mill, Jay Maine – 24' pattern (12' each side center of track)

Maine – State owned Railroad Tracks – 40' pattern (20' each side center of track)

Sappi Fine Paper Mill, Hinkley, Maine – 24' pattern (12' each side center of track)

St. Lawrence & Atlantic Railroad – 40' pattern (20' each side center of track)

Eastern Maine Railroad – 25' pattern (12.5' each side center of track)

Maine Eastern Railroad – 40' pattern (20' each side center of track)

Turner Island LLC Railroad, S. Portland, Maine – 24' pattern (12' each side center of track)

The purpose is to treat the ballast and shoulder sections of the track and the area adjacent to shoulder to control Weed, Grass and Brush species.

III. Pesticide(s) to be applied: Various combinations of Razor (41% Glyphosate), Edict 2SC (Pyraflufen-ethyl) Oust Extra (Sulfometuron Methyl and Metsulfuron Methyl) or Arsenal Powerline (Imazapyr) and combinations of Krenite S (Fosamine Ammonium) Escort (Metsulfuron Methyl).

IV. Purpose of pesticide application: the ballast, shoulder and areas adjacent to shoulder sections of the right-of-way must remain weed, grass and brush free for just some of the following reasons:

- To allow for proper inspection of tie fastenings, switches & rails
- To maintain proper drainage
- To allow for inspection of trains
- To remove health and safety hazards
- To improve working conditions
- To reduce fire hazards
- To improve visibility at road crossings

V. Approximate dates of spray application: June 2 through September 19, 2008

- VI. Application Equipment: Hy-rail Truck Equipment with fixed mounted booms approximately 18 inches above the rail.
- VII. Standard(s) to be varied from: Chapter 29, Section 6 – Buffer Requirements
- VIII. Reason for variance:
1. To control weed, grass and brush species within a distance of 7 feet from the rail as mandated by the State of Maine Forestry Department in the ballast section of the track.
  2. To provide control of annual or perennial plants within a distance of 10 feet from the waters edge as defined in the regulations for the safety of railroad employees and to provide proper inspection of the track.
  3. To fulfill the requirements of the Federal Railroad Administration for proper inspection of track.
- IX. Method to assure equivalent protection: The railroads patrolmen have track charts which show rivers, streams, ponds, road crossings, etc. He normally is in a track vehicle running ahead of the spray unit and through the use of radio communication, gives a warning signal where there are culverts, bridges with running water underneath, and other sensitive areas adjacent to the track. RWC, Inc. has mounted in cab controlled gutters on the rear of our equipment to assure that no pesticides drip or enter the waterways of the State of Maine when going over the bridges. RWC, Inc. will leave a buffer of ten feet (10') from lakes, rivers, streams and surface waters and in the case of a public water supply will only apply the product RAZOR (41% Glyphosate, because of its ability to bind to the soil) for a distance of one half mile before the site and one half mile beyond. Within the ten-foot (10') buffer, alternative methods will have to be employed to control vegetation. RWC, Inc. will use drift control agents to reduce the chance of drift to non-target areas and rain fast products such as Nufilm IR or Synthex IR 100 (spreaders and stickers) that help make the herbicide adhere to the ground and plant surface. We will continue to use low pump pressures (20-60PSI), nozzles that produce larger droplet sizes and to monitor weather (applications shall be delayed if heavy rain is predicted within twenty four (24) hours post-application) conditions to prevent off-target runoff. RWC, Inc. will also plan as we have done in the past to advertise in five newspapers of statewide circulation and notify the affected communities in advance of our applications.

Signed:\_\_\_\_\_Date:\_\_\_\_\_

Return completed form to: **Board of Pesticides Control, 28 State House Station, Augusta, ME 04333-0028**

**OR E-mail to: [pesticides@maine.gov](mailto:pesticides@maine.gov)**

April 14, 2008

Dear Town Official:

Enclosed please find RWC, Inc. notice of intended herbicide applications regarding the start of our annual Railroad Spray Program for the control of unwanted vegetation on the ballast, shoulder and berm area of the railroads listed below:

Pan Am Railroad, Presque Isle Industrial, Montreal, Maine & Atlantic Railway,  
State of Maine owned Railroad Tracks, Maine Eastern Railroad, St. Lawrence &  
Atlantic Railroad, Turner Island LLC and Eastern Maine Railway.

You are receiving this notice to post or distribute as you see fit because RWC, Inc. has scheduled spraying within your community on one of railroads listed above. The materials being used this year are approved for use in the State of Maine and may include the following: Razor, Oust Extra, Arsenal, Edict 2SC, Krenite S and Escort. These materials are used at low rates either by themselves or in combinations in 30-100 gallons of water per acre.

Application will begin on or about the week of June 2, 2008. All crews are required to be licensed to apply herbicides and to adhere to all State and Federal guidelines pertaining to applications of herbicides to railroad rights-of-way in Maine.

Should you have any questions concerning the above, please do not hesitate to contact me.

Sincerely,

Brian S. Chateauvert  
RWC, Inc.  
Phone: (413) 562-5681



## **NOTICE TO MAINE RESIDENTS**

### **HERBICIDE TREATMENT SCHEDULED FOR RAILROADS**

ANTICIPATED START DATE: JUNE 2, 2008

ANTICIPATED COMPLETION DATE: SEPTEMBER 19, 2008

#### **RAILROADS**

1. PAN AM
2. PRESQUE ISLE INDUSTRIAL
3. MONTREAL, MAINE & ATLANTIC RAILROAD
4. STATE OF MAINE-OWNED RAILROAD LINES
5. MAINE EASTERN RAILROAD
6. ST. LAWRENCE & ATLANTIC RAILROAD
7. TURNER ISLE LLC
8. EASTERN MAINE RAILROAD

PLEASE CONTACT BRIAN CHATEAUVERT AT RWC, INC.  
SHOULD YOU HAVE ANY QUESTIONS CONCERNING THIS  
PROGRAM - (413) 562-5681.